

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCO ANTONIO RIVERA,

Defendant.

Case No. 3:03-cr-0109-RRB

**ORDER GRANTING SENTENCE
REDUCTION AND RELEASE**

Defendant Marco Antonio Rivera has moved for a reduction in his sentence pursuant to 18 U.S.C. § 3582(c), based upon the 2007 amendment to the United States Sentencing Commission Guideline Section 2D1.1 that was made retroactive pursuant to United States Guideline Section 1B1.10, which became effective on March 3, 2008. The United States has agreed that the Defendant is eligible for a reduction in his sentence based on these authorities. The parties have mutually agreed: (1) that the Court should grant the Defendant's motion and order that the Defendant's sentence be reduced to a Time Served sentence; (2) that the Order will go into effect 10 days from the entry of this Order to allow the Federal Bureau of Prisons adequate time to prepare the Defendant for

release to commence the five-year term of supervised release imposed at the time of the Defendant's original imposition of sentence; and (3) that the Order reducing the term of imprisonment will not reduce the five-year term of supervised release originally imposed, nor will it remove any conditions of supervision originally imposed.

Therefore, **IT IS ORDERED** that the sentence imposed on Marco Antonio Rivera in this case is reduced to a Time Served sentence.

IT IS FURTHER ORDERED that Defendant Marco Antonio Rivera shall be released from the custody of the Federal Bureau of Prisons on or before **March 26, 2008**. Notice of the order shall be served upon the Bureau of Immigration and Customs Enforcement.

IT IS FURTHER ORDERED that this Order does not reduce the five-year term of supervised release imposed in this case, nor does it remove any of the original conditions of supervision imposed.

ENTERED this 14th day of March, 2008.

S/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE